

REMARKS/ARGUMENTS

By the present amendment, eleven (11) claims are amended and two (2) claims are cancelled by the present amendment. Claims 3-58, 61, 68-70, 74-87, 89-102 and 106-109 are withdrawn from consideration due to restriction. Applicants hereby submit that no new matter has been added and no change in inventorship is believed to result from the amendments proposed herein.

The amendments proposed herein are made solely to expedite prosecution of various embodiments of the invention, and are made for reasons unrelated to patentability. Applicants expressly reserve the right to prosecute one or more cancelled claims or any subject matter enabled by the instant specification in one or more continuing applications.

RESPONSE TO RESTRICTION AND REJOINDER

The currently pending claims include claims 2, 59-60, 62-67, 71-73, 88. Applicant respectfully requests that should an allowable generic claim be found, all species claims that depend from or otherwise include all of the limitations of generic claim 2 be rejoined and allowed pursuant to 37 C.F.R. § 1.141 and MPEP § 809.02(a)-(c) and, in particular, MPEP § 809.02(c)(B)(1).

INFORMATION DISCLOSURE STATEMENT

An information disclosure statement and Form 1449 is submitted herewith pursuant to 37 C.F.R. 1.97(1)(a). Applicant's respectfully request consideration of the IDS after entry of the Request for Continued Examination.

RESPONSE TO OFFICE ACTION DATED NOVEMBER 4, 2005

I. Non-Statutory Double Patenting Rejection Over Claims 1, 10 – 11 and 13 of U.S. 6,755,871 in View of DeYoung et al.

Claims 2 and 63-65 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 10-11 and 13 of U.S. Patent No. 6,148,645 in view of U.S. 6,755,871. Applicants file herewith a terminal disclaimer in respect of U.S. Patent No. 6,755,871. Withdrawal of this rejection is therefore respectfully requested.

II. Non-Statutory Double Patenting Rejection Over Claims 1-2, 7-10 and 12 of U.S. 6,736,859 in view of DeYoung et al.

Claims 2, 60 and 63-65 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2, 7-10 and 12 of U.S. 6,736,859 in view of DeYoung. Applicants file herewith a terminal disclaimer in respect of U.S. 6,736,859. Withdrawal of this rejection is therefore respectfully requested.

III. Non-Statutory Double Patenting Rejection Over Claims 1, 10-11 and 13 of U.S. 6,355,072 in view of DeYoung et al.

Applicants' note that a terminal disclaimer was filed on August 30, 2002 in respect of U.S. 6,355,072. Withdrawal of this rejection is therefore respectfully requested.

IV. Non-Statutory Double Patenting Rejection Over Claims 1, 10-11 and 13 of U.S. Application No. 10/797,516 in view of DeYoung et al.

Applicants file herewith a terminal disclaimer in respect of U.S. Serial No. 10/797,516. Withdrawal of this rejection is respectfully requested.

CONCLUSION

The pending claims are believed to be in condition for allowance. Early and favorable consideration is respectfully requested.

Respectfully submitted,



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